

Ser. No. 10/579,053
Art Unit 2614
Amendment dated October 3, 2011
Reply to Office Action of June 7, 2011

Remarks/Arguments

This response is filed in response to an Office Action dated June 7, 2011, from the United States Patent and Trademark Office in connection with the above identified application.

Applicant has carefully studied the outstanding Office Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner.

Claims 1-26 are pending in the application. Claim 8 has been deleted. Claims 1, 7, 9, 11, 16 and 25 have been amended. Reconsideration of the application is respectfully requested.

Reconsideration of the rejections is respectfully requested.

Telephone Interview

Applicant expresses appreciation to Examiner Amal Zenati for the courtesy of an interview that was held via telephone on September 13, 2011. Dr. Zvi Barak (the inventor), and Mr. Henry Sinai participated. The claims and the prior art of record were discussed. Applicant presented distinction of his invention over the prior art. The present amendment, which reflects these distinctions is believed to make the claims allowable and are presented herein.

Claim Rejections – under 35 U.S.C. §102

Claims 7 and 10 stand rejected under 35 U.S.C. 102(c) as being anticipated by US 2002/0184624 (Spencer).

Applicant respectfully traverses this rejection in view of the remarks that follow.

As is well-established, in order to successfully assert a prima facie case of anticipation, the Examiner must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Examiner has not succeeded in making a prima facie case.

Claim 7 has been amended to include the features disclosed in claim 8 (which has now been cancelled).

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Claim 7 (as amended) recites a method for communicating with a plurality of participants, which, *inter alia*, comprises the steps of "a directing party independently controlling, in real-time, simultaneous communication with the plurality of participants by controlling the entire dialing and broadcasting process with the plurality of participants, the process comprising any of a group of actions including preparing a script constructed from a series of building blocks and initiating the simultaneous communication with the plurality of participants; simultaneously launching the script with each of the plurality of participants accepting the communication; and in real time, statistically analyzing the responses to each of the building blocks of the script by the group comprising the plurality of participants taking part in the communication."

The Office Action concedes that Spencer does not disclose the step of "analyzing the responses of the plurality of participants". Thus, Spencer does not disclose the amended step of "statistically analyzing the responses to each of the building blocks of the script by the group comprising the plurality of participants taking part in the communication" (emphasis added).

Furthermore, Spencer does not disclose the steps of the directing party receiving the results of the statistical analysis and determining a subsequent course of action based on the results. Thus, since at least one element or limitation is missing from the cited document, the Examiner has not succeeded in making a *prima facie* case. Applicant respectfully submits that the rejection of claim 7 under 35 USC 102 has thus been overcome.

Since claim 10 depends from claim 7, rejection of claim 10 under 35 USC 102 has been overcome for the same reasons.

Claim Rejections – under 35 USC § 103

Claims 1-6 stand rejected a) as being unpatentable over Gilbert (US 7,580,374) in view of Johnson (US 6,072,780). Applicant respectfully traverses these rejections in view of the amendments made above and the remarks that follow.

Independent claim 1 has been amended and recites a system for a directing party to simultaneously communicate with a plurality of participants, utilizing the method of claim 7. The system comprises, *inter alia*, "a script toolkit in communication with a control unit controlled by the directing party, the script toolkit constructing a script from a series of building blocks, the script associated with the

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type of communication being conducted; a second dialing server that is configured to communicate with the plurality of participants and to simultaneously launch the script to each of the plurality of participants accepting the communication; and a statistical analyzer in communication with the control unit for statistically analyzing the responses, in real time, to each of the building blocks of the script of the plurality of participants to the script taking part in said communication.

Gilbert describes a system for setting-up a telephone conference between a host party and at least one participant party. At the meeting time, the system dials the meeting participants. Once the system of Gilbert has dialed and connected the participants of the conference call, the system has no need for communicating with the "directing party" and with the plurality of participants. Gilbert, the host of the conference, is no longer in control of the control unit once the conference started. Moreover, the host, in Gilbert, does not "*control the entire dialing and broadcasting process with the plurality of participants*", as disclosed in claim 1.

The Office Action concedes that Gilbert does not disclose "a dialing server being configured to simultaneously communicate with the plurality of participants". The Office Action relies on the method described by Johnson, for the feature in claim 1, namely: "*the dialing server is configured to simultaneously communicate with the plurality of participants*"

Johnson describes a telephone conferencing system using a digital communications network to establish and control telephone connections between multiple conferences with the telephone network.

Claim 1 has been amended to disclose the step of "simultaneously launch the script to each of the plurality of participants accepting said communication" (emphasis added).

Neither Gilbert nor Johnson describe or suggest the amended claim 1, wherein: "the second dialing server is configured to communicate with the plurality of participants and to simultaneously launch the script to each of the plurality of participants accepting said communication".

Without conceding the appropriateness of the combination, Applicant respectfully submits that the combination of Gilbert and Johnson does not meet the requirements of an obvious rejection in that neither teaches nor suggests other features of the amended claim 1, namely:

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- a script toolkit in communication with the control unit for constructing a script from a series of building blocks, said script associated with the type of communication being conducted; and
- a statistical analyzer in communication with the control unit for statistically analyzing the responses, in real time, to each of the building blocks of the script by the group comprising the plurality of participants taking part in said communication.

Thus, applicant respectfully submits that the combination of Gilbert and Johnson does not meet the requirements of a prima facie showing of obviousness in that neither Gilbert nor Johnson alone or in combination teaches or suggests every feature of claim 1.

Since claims 2-6 depend from claim 1, Applicant believes the rejection of these claims has been overcome for at least the same reasons.

Claim Rejections – under 35 USC § 103

Claims 8 - 9, 16, and 23 - 26, stand rejected under 35 U.S.C. 103(a) as being unpatentable over Spencer (Pub. No: US 2002/0184624) in view of Bezar (Pub. No.: US 2004/0093218) and further in view of Crouch (Pub. No.: US 2004/0246332 A1)

Claims 11 - 15, stand rejected under 35 U.S.C. 103(a) as being unpatentable over Spencer in view of Bezar, in view of Crouch and further in view of Strauss et al (parent No.: 5,940,598).

Claims 17 - 22, are rejected under 35 U.S.C. 103(a) as being unpatentable over Spencer in view of Penfield et al (Patent No: US 6,480,591) and further in view of Dozenbosch et al (Pub. No: US 2004/0064355).

Applicant respectfully traverses these rejections in view of the amendments made above and the remarks that follow.

Claim 8 has been cancelled and claims 9, 11, 16 and 25 have been amended. Claims 9-26 depend directly or indirectly from amended claim 7.

Independent claim 7 has been discussed above and is relevant here.

As discussed, Spencer does not disclose the inventive features of claim 7, since the system of Spencer does not disclose the step of "statistically analyzing the responses

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to each of the building blocks of the script by the group comprising the plurality of participants taking part in the communication".

The Office Action concedes that Spencer does not disclose the step of "*analyzing the responses of the plurality of participants to said simultaneous communication*" and relies on the method described by Bezar for this step (the feature appeared originally in deleted claim 8 – now part of amended claim 7). Bezar describes a system and method for validating the truthfulness and intent of participants by analyzing the participants' speech pattern on a one by one basis and does not describe or disclose simultaneous communication with a plurality of participants. Bezar does not describe or suggest the feature of claim 7, namely "*the step of a directing party independently controlling, in real-time, the simultaneous communication with the plurality of participants*". Thus, Bezar does not overcome the limitations of Spencer.

The step of "analyzing" (the feature appeared originally in deleted claim 8 – now part of amended claim 7) has been amended to cite: "in real time, statistically analyzing the responses to each of the building blocks of the script by the group comprising the plurality of participants taking part in the communication".
(emphasis added). Bezar does not describe or disclose this feature.

The Office Action concedes that neither of Spencer and Bezar teaches "*controlling the entire dialing and broadcasting process (such as view shared documents) between the directing party and the plurality of participants, said process comprising any of a group of actions including initiating the simultaneous communication and preparing the script*" and relies on the method described by Crouch for this step.

The step of "controlling" has been amended to cite: "said process comprising any of a group of actions including preparing a script constructed from a series of building blocks and initiating the simultaneous communication with said plurality of participants" (emphasis added). Crouch does not describe or disclose including "preparing a script constructed from a series of building blocks".

Crouch describes a method to join a conference. Crouch does not describe or disclose the step of "*statistically analyzing the responses to each of the building blocks of the script by the group comprising the plurality of participants taking part in the communication*" and the step of "*in real time, statistically analyzing the responses to each of the building blocks of the script by the group comprising the*

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plurality of participants taking part in the communication". Thus, Crouch does not overcome the limitations of Spencer and/or Bezaz.

Applicant respectfully submits that the combination of Spencer and Bezaz and/or Crouch do not meet the requirements of an obvious rejection in that neither teaches nor suggests, alone or in combination, the features of independent claim 7 of the present invention.

Since claims 9, 16, and 23 - 26 depend directly or indirectly from claim 7, Applicant believes the rejection of these claims has been overcome for at least the same reasons.

Similarly, regarding claims 11-15, Applicant respectfully submits that the combination of Spencer and Bezaz and/or Crouch and/or Strauss do not meet the requirements of an obvious rejection in that neither teaches nor suggests, alone or in combination, the features of independent claim 7 of the present invention.

Since claims 11-15 depend directly or indirectly from claim 7, Applicant believes the rejection of these claims has been overcome for at least the same reasons.

Similarly, regarding claims 17-22, Applicant respectfully submits that the combination of Spencer and Bezaz and/or Penfield et al. and/or Dorenbosch et al. do not meet the requirements of an obvious rejection in that neither teaches nor suggests, alone or in combination, the features of independent claim 7 of the present invention.

Since claims 17-22 depend directly or indirectly from claim 7, Applicant believes the rejection of these claims has been overcome for at least the same reasons.

Conclusion

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone, communicate via email, Fax and mail to the undersigned counsel.

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In view of the above amendments and remarks, it is respectfully submitted that the claims, namely claims 1-7 and 9-26, are patentable over the art of record and are now in condition for allowance. Prompt notice of allowance is respectfully solicited.

Petition for One-Month Extension Of Time Under 37 CFR 1.136(a)

The period for filing a response to the instant Office Action was set to expire on September 7, 2011. Applicant hereby requests that the period for filing a response be extended by one (1) month, so as to expire on October 7, 2011. Accordingly, this response is being timely filed. The fee for a Petition for a One-Month Extension of Time is Seventy-Five Dollars (\$75.00) dollars for a small entity, for which credit card payment is provided herewith via EFS-Web.

Favorable action on this amendment and petition is courteously solicited.

Respectfully submitted,

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